

Military Leave Provisions

The following military leave options are listed in the order in which they should be issued as appropriate for each individual.

1. SC Code of Laws

Section 8-7-90. Leaves of absence authorized for public officers and employees in National Guard or reserve military forces.

- Entitles enlisted or commissioned members of the "uniformed services" one or more periods not exceeding **fifteen (15)** regularly scheduled work days in any one year.
- In the event any such person is called upon to serve during a declared emergency, he is entitled to such leave of absence for not exceeding **thirty (30) additional days**.

2. Joint Resolution

Additional Military Leave (Act 320, R439, H5333) (Effective July 6, 2004).

Notwithstanding any other provision of law, when a state employee in a FTE position who serves on active military duty as a result of "Operation Enduring Freedom" or "Operation Noble Eagle", or who serves in a unit federalized for duty in connection with potential or actual hostilities in Iraq, or any combination of these duties, and is called upon to serve during an emergency and qualifies for a paid leave of absence for an emergency under the provisions of Section 8-7-90 of the 1976 Code, and the emergency continues into a subsequent year, **the employee may receive up to thirty additional days of paid leave of absence in each subsequent year associated with the same emergency.** For purposes of this section, year means either a calendar year or, in the case of members required to perform active duty for training or other duties within or on a fiscal year basis, the fiscal year of the National Guard or reserve component issuing the orders.

FY08-09 Appropriations Act Provisos

3. 80A.26. (BCB: Military Service)

- Allows permanent full-time state employees who serve on active duty as a result of Operation Enduring Freedom, Operation Noble Eagle, or the hostilities in Iraq to use **up to 45 days of annual leave** and **up to 90 days of sick leave** in a calendar year as if it were annual leave.

4. 80A.28 (BCB: Military Service Leave)

- Entitles a state employee in an FTE position who serves in a **combat zone** and who has exhausted all available leave for military purposes (military leave from §8-7-90 and sick and annual leave provided for in Proviso 63.38) **up to thirty additional days** of military leave in any one year.